



#A

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(LargeEntity)**Docket No.
CMI-470

In Re Application Of: Michalsky, et al.

Serial No.
09/973,580Filing Date
10/09/2001

Examiner

Group Art Unit
3738Invention: APPARATUS FOR TESTING PROSTHETIC HEART VALVES, AND METHODS OF USING
SAMETO THE ASSISTANT COMMISSIONER FOR PATENTS:Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
11/09/2001
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Substitute Drawings (9)

03/08/2002 BABRAHA1 00000102 090473 09973580

02 FC:115 110.00 CH

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(LargeEntity)			Docket No. CMI-470
In Re Application Of: Michalsky, et al.			
Serial No. 09/973,580	Filing Date 10/09/2001	Examiner	Group Art Unit 3738
Invention: APPARATUS FOR TESTING PROSTHETIC HEART VALVES, AND METHODS OF USING SAME			
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Box Missing Parts</u>			
<input checked="" type="checkbox"/> Completion of application fees as calculated below:			
<input type="checkbox"/> Utility application filing fee			
<input type="checkbox"/> Design application filing fee			
<input type="checkbox"/> Total number of independent claims = _____			
<input type="checkbox"/> Total number of claims = _____			
<input type="checkbox"/> Multiple dependent claims			
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath			\$130.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor			
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification			
<input type="checkbox"/> Fee for processing and retention of application			
Total completion of application fees			\$130.00
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.			
<input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months			
from: _____	01/10/02 <i>Date</i>	until: _____	02/11/02 <i>Date</i>
Total time extension fees			\$110.00
Total fees due			\$240.00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/973,580	10/09/2001	Douglas L. Michalsky	CMI-470

SULZER MEDICA USA INC.
Suite 1600
3 East Greenway Plaza
Houston, TX 77046



CONFIRMATION NO. 6015

FORMALITIES LETTER



OC000000007047031

Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/08/2002 BABRAHA1 00000102 090473 09973580

01 FC:105 130.00 CH

Adjustment date: 03/28/2002 SSALEEKU
03/08/2002 BABRAHA1 00000102 090473 09973580
01 FC:105 130.00 CR

A copy of this notice **MUST** be returned with the reply.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Douglas L. Michalsky
Phillip Edwin Carr
Edwin Lee Hankinson

Attorney Docket: CMI-470

S/N: 09/973,580



Group: 3738

Filed: 10/09/2001

Title: APPARATUS FOR TESTING
PROSTHETIC HEART VALVES,
AND METHODS OF USING
SAME

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicants erroneously filed a Response to Notice to File Missing Parts of Application on February 11, 2002, which did not include a copy of the Notice to File Missing Parts. Therefore, Applicants resubmit the Response herewith, including a copy of the Notice to File Missing Parts. Please charge all necessary fees to Sulzer Medica Deposit Account No. 09-0473.

Respectfully submitted,

Timothy L. Scott
Reg. No. 37,931
SULZER MEDICA USA INC.
3 East Greenway Plaza, Suite 1600
Houston, Texas 77046

Phone: (713) 561-6374
Fax: (713) 561-6380

09/973,580-030502

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, DC 20231

on 2/20/02
(Date)

Heather Green
(Name of person making deposit)

Heather Green
(Signature)

20090303 0952:2600



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
CMI-470

In Re Application Of: Michalsky, et al.

Serial No.
09/973,580

Filing Date
10/09/2001

Examiner

Group Art Unit
3738

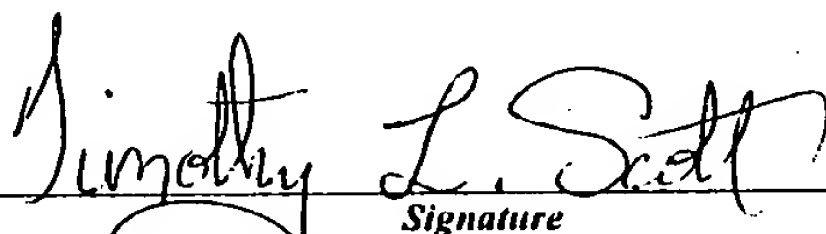
Invention: APPARATUS FOR TESTING PROSTHETIC HEART VALVES, AND METHODS OF USING
SAME

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$240.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0473
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 09-0473
A duplicate copy of this sheet is enclosed.


Signature

Dated: 02/11/02

Timothy L. Scott
Reg. No. 37,931
SULZER MEDICA USA INC.
3 East Greenway Plaza, Suite 1600
Houston, Texas 77046

Phone: (713) 561-6374
Fax: (713) 561-6380

CC:

I certify that this document and fee is being deposited
on 02/11/02 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Heather Green

Typed or Printed Name of Person Mailing Correspondence



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Douglas L. Michalsky	:	Attorney Docket: CMI-470
	Phillip Edwin Carr	:	
	Edwin Lee Hankinson	:	
		:	
		:	
S/N:	09/973,580	:	
		:	
		:	Group: 3738
Filed:	10/09/2001	:	
		:	
		:	
For:	APPARATUS FOR TESTING	:	
	PROSTHETIC HEART VALVES,	:	
	AND METHODS OF USING	:	
	SAME	:	Examiner:

Office of Initial Patent Examination
Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTION TO THE FILING RECEIPT

Dear Sir or Madam:

Applicant respectfully requests correction to the filing receipt as follows:

Applicant(s)

Douglas L. Michalsky, Austin, TX;
Phillip Edwin Carr, Austin, TX;
Edwin Lee Hankinson, Georgetown, TX

Note that the filing receipt incorrectly states "Phillips" instead of "Phillip".



Please charge any necessary fees to deposit account no. 09-0473.

Respectfully submitted,

Timothy L. Scott

Reg. No. 37,931

SULZER MEDICA USA INC.

3 East Greenway Plaza, Suite 1600

Houston, Texas 77046

Phone: (713) 561-6374

Fax: (713) 561-6380

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, DC 20231

on 2/11/02
(Date)

Heather Green
(Name of person making deposit)

(Signature)



RECEIVED

NOV 16 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
& General Counsel
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/973,580	10/09/2001	3738	1448	CMI-470	9	50	5

CONFIRMATION NO. 6015

FILING RECEIPT



OC000000007047029

SULZER MEDICA USA INC.
Suite 1600
3 East Greenway Plaza
Houston, TX 77046

Date Mailed: 11/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Douglas L. Michalsky, Austin, TX;
Phillips Edwin Carr, Austin, TX;
Edwin Lee Hankinson, Georgetown, TX;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 11/08/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Apparatus for testing prosthetic heart valves, and methods of using same

Preliminary Class

623



TO THE UNITED STATES PATENT AND TRADEMARK OFFICE
Please stamp and return to our office. Thank you.

Mailed: February 11, 2002
My File: CMI-470
Applicant: Michalsky, et al.
Filing Date: 10/09/01
Serial No.: 09/973,580
Title: APPARATUS FOR TESTING PROSTHETIC HEART
VALVES, AND METHODS OF USING SAME

Enclosed: Response to Notice to File Missing Parts, Declaration,
Substitute Drawings (9), Request for Correction to the
Filing Receipt, Corrected Filing Receipt